

#4

Patent Case No. CN01365KIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: **Anandan Palani, et al.** :
: Examiner: Hong Liu
For: **MCH ANTAGONISTS AND THEIR USE** :
IN THE TREATMENT OF OBESITY : Group Art Unit: 1624
Serial No.: 09/995,949 :
Filed: November 28, 2001 :
-----X
Assistant Commissioner for Patents
Washington, D.C. 20231

Response to Restriction Requirement

Sir:

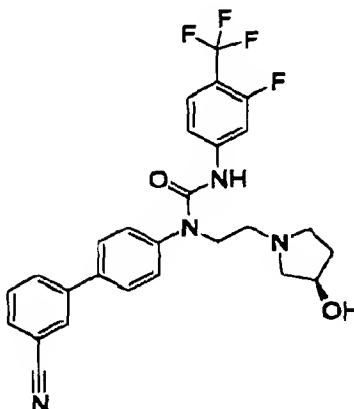
In response to the species election requirement mailed on February 3, 2003 for the above-identified application, applicants respond as follows.

Claims 1-24 are pending in the application. The Examiner required the Applicants to elect a single disclosed species, even though this requirement is traversed.

Applicants are puzzled by the restrictions of the claims by the Examiner and believe that claims 1-24 form part of one and the same invention. Applicants believe that when there is a linking generic claim encompassing the scope of all the compounds, and process of preparing them, it is inappropriate to restrict the invention to a single compound. Applicants also believe that due to such commonality, a complete examination of claims 1-24 would not cause undue burden. Applicants further believe that the same art search will most probably apply to the alleged separate inventions. Reconsideration and withdrawal of the restriction requirement are, therefore, respectfully requested.

However, for the sake of facilitation of prosecution and in order to comply with the Examiner's requirement, Applicants elect the following species with traverse:

In re Application of: **Anandan Palani, et al.**
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The above-noted compound is in claim 11 and found on page 99 of the specification.

No fees are believed to be due with this response. If any fees are determined to be due by this paper, the Commissioner is hereby authorized to deduct such fees from Account No. 19-0365

The Examiner is requested to call the undersigned attorney on any matter connected with this application.

Respectfully submitted,

William Lee
Reg. No. 46,100
Attorney for Applicants
(908) 298-2161

WL

Attorney Docket No.: CN01365K

First Named Inventor: Anandan Palani et al.

Application No.: 09/995,949

Filing Date: 11/28/2001

PTO/SB/97 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Attention: Examiner Hong Liu

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PHONE NUMBER:

William Y. Lee

(908) 298-2161

TOTAL NO. OF PAGES INCLUDING COVER

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March 5, 2003

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In re Application of: Anandan Palani *et al.*

For Patent For: MCH Antagonists and Their Use in the Treatment of Obesity

Group Art Unit: 1624

Serial No.: 09/995,949

Filed: 11/28/2001

Attorney Docket No. CN01365K

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/995,949	
	Filing Date	11/28/2001	
	First Named Inventor	Anandan Palani	
	Group Art Unit	1624	
	Examiner Name	Liu, Hong	
Total Number of Pages in This Submission	5	Attorney Docket Number	CN01365K

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Certificate of Transmission (1 page); Fax Cover Sheet (1 Page) </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	William Y. Lee, Reg. No. 46,100
Signature	<i>William Y. Lee</i>
Date	03/05/2003

CERTIFICATE OF MAILING

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